

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

John E. Jaunich,
individually and on behalf
of all others similarly situated,

Civ. No. 20-1567 (PAM/JFD)

Plaintiffs,

v.

ORDER

State Farm Life Insurance Company,

Defendant.

This matter is before the Court on Plaintiff John E. Jaunich's Motion to Approve and Disseminate Class Notice to the certified class of current and former Minnesota Form 94030 policy owners whose policies were in-force on or after January 1, 2002, and who were subject to at least one monthly deduction. (Docket No. 148.) Plaintiff moves for notice to be approved and disseminated in a form substantially identical to Plaintiff's filing (Docket No. 151 – Ex. A), and further requests that the Court approve his proposed plan of notice. Defendant State Farm argues that sending any such notice is premature because Defendant's Fed. R. Civ. P. 23(f) petition is pending before the Eighth Circuit Court of Appeals. Additionally, Defendant proposes modifications to Plaintiff's proposed notice. The Court does not believe that a petition for appellate review is an appropriate reason to forestall notice in this case.

Accordingly, **IT IS HEREBY ORDERED that:**

1. Plaintiff's Motion (Docket No. 148) is **GRANTED**;
2. The proposed class notice, in a form substantially identical to Exhibit A to Plaintiff's filing (Docket No. 151 – Ex. A) shall be modified to include that “State Farm is challenging the Court’s decision to permit the case to proceed as a class action by petitioning to an appellate court” before it is disseminated to potential class members. With that modification, the proposed class notice and notice plan, meet the requirements of Fed. R. Civ. P. 23(c)(2)(B) and due process and is the best notice practicable under the circumstances.
3. The Court hereby appoints Epiq Systems, Inc. to supervise and administer the notice procedure as the notice administrator. In that capacity, the Court directs Epiq to implement the proposed notice program, and to compile and provide a list of names and addresses of potential class members from Defendant’s current records within 10 days of today’s date; ensure the distribution of the class notice via first class U.S. mail; create a website posting copies of the notice and relevant pleadings and orders; and compile any timely requests for exclusion, which class counsel shall promptly file with the Court after the opt-out deadline has expired.

Dated: Wednesday, December 1, 2021

s/ Paul A. Magnuson

Paul A. Magnuson
United States District Court Judge